



# WASHOE COUNTY

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## STAFF REPORT

**BOARD MEETING DATE: January 13, 2026**

**DATE:** December 12, 2025

**TO:** Board of County Commissioners

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**THROUGH:** Kelly Mullin, AICP, Division Director, Planning & Building Division, Community Services Department, 328.3619,  
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**SUBJECT:** Public Hearing: Second reading and possible adoption of an ordinance amending Washoe County Code Chapter 110 (Development Code) in Division Three- Regulation of Uses, Division Four- Development Standards, and Division Nine- General Provisions. These amendments include adding various sections to: establish small lot residential development standards and establish infill residential and commercial development standards. These amendments also include amending various sections to: include an example of the multi-family, minor residential use type and allow cottage courts on multiple parcels; modify the maximum size of attached and detached accessory dwelling units from 50% to 80% of the size of the main dwelling; modify the maximum floor area from 1,000 square feet to 1,200 square feet for cottage court developments; specify that only one community accessory structure is allowed for every four (4) cottages in a cottage court development; clarify the calculation of setbacks for cottage court developments; modify lot and yard standards for common open space developments; add various definitions; and all matters necessarily connected therewith and pertaining thereto.

In making its determination, the Board shall either affirm, modify or reject the findings of fact included in the Planning Commission's recommendation. (All Commission Districts.) **FOR POSSIBLE ACTION**

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The Board is asked to hold a second reading and possibly adopt an ordinance amending Washoe County Code Chapter 110 (Development Code) by modifying various sections in Division Three—Regulation of Uses, Division Four- Development Standards, and Division Nine- General Provisions, in order to create standards for small lot and infill development, and to modify provisions related to cottage courts, accessory dwelling units, and common open space development. The proposed code amendments are

**AGENDA ITEM # \_\_\_\_\_**

described in detail beginning on page 3 of this staff report. Additional analysis can be found in Attachment C, Planning Commission staff report.

**Washoe County Strategic Objective supported by this item:**

Vulnerable Populations: Expand appropriate housing options across our community.

**PREVIOUS ACTION**

December 16, 2025. The Washoe County Board of County Commissioners (“BCC” or “Board”) conducted an introduction and first reading of the proposed ordinance for Development Code Amendment WDCA25-0008 (Small Housing and Infill Development) and directed staff to update the draft ordinance as outlined in the presentation.

November 4, 2025. The Washoe County Planning Commission (PC) reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code) and voted 7-0 to recommend approval of Development Code Amendment WDCA25-0008 to the Board. In doing so, the Planning Commission made all four possible findings (only one is required) set forth in Washoe County Code Section 110.818.15(e), which are set forth below:

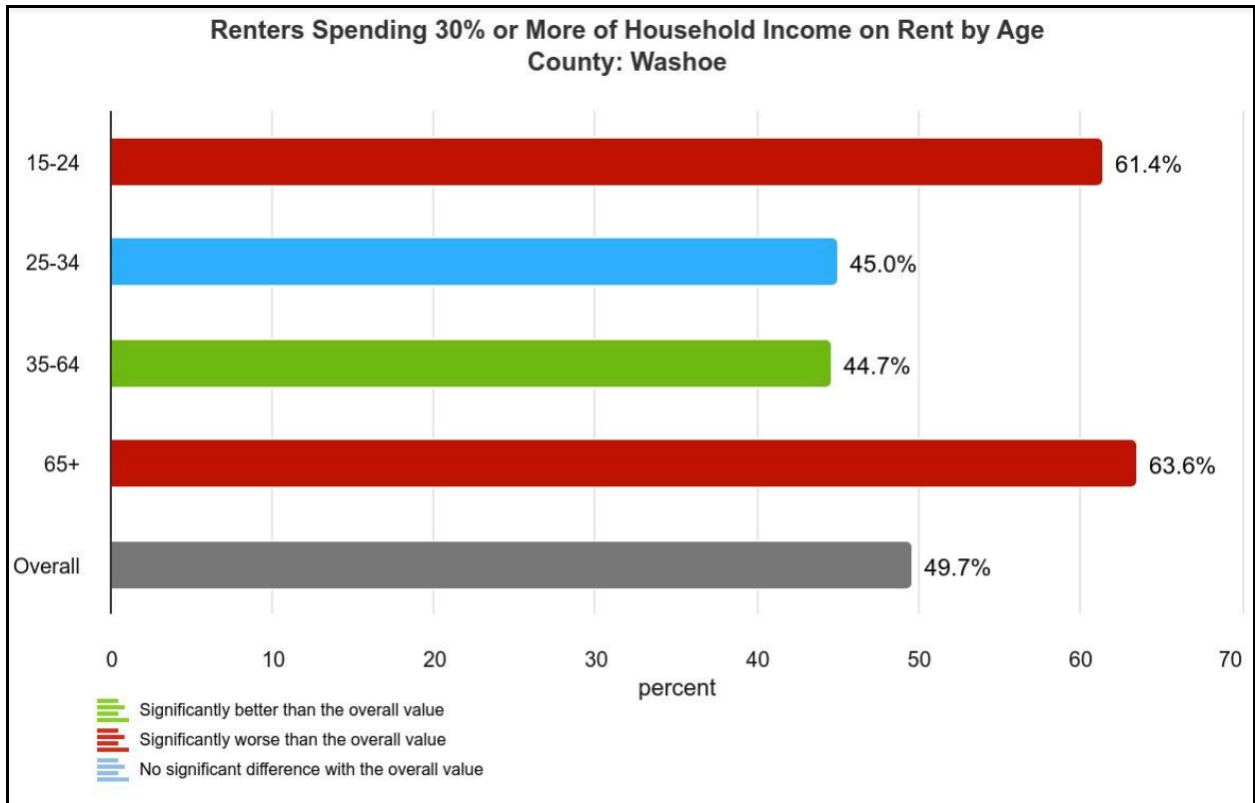
1. Consistency with Master Plan. The proposed development code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed development code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed development code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allows for a more desirable utilization of land within the regulatory zones; and
4. No Adverse Affects. The proposed development code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

November 14, 2023. The Washoe County Board of County Commissioners (“BCC” or “Board”) directed the Planning Program to pursue several development code amendments related to affordable and attainable housing, including amendments to update housing definitions. This set of amendments is responsive to that Board direction and focuses on the housing needs of seniors.

**BACKGROUND**

Housing affordability and attainability are identified in strategic planning and vision documents as one of the most pressing issues in Washoe County. In 2023, 49.7% of renters in Washoe County are cost burdened (e.g. spend more than 30% of household income on housing costs). This disproportionately impacts seniors, 63.6% of whom are

cost burdened, and young renters (15-24 years old), 61.4% of whom are cost burdened (see Figure 1 below). In addition to existing affordability issues, the [2024 Consensus Forecast](#) anticipates that unincorporated Washoe County will need to absorb up to a 15,757-person population increase between 2024 and 2044. Diversifying housing opportunities for both rental and purchase will help provide lower cost options for these groups, supporting seniors and all parts of our community throughout the different stages of their lives.



*Figure 1: Cost Burdened Households by Age*

WDCA25-0008 (Small Housing and Infill Development) focuses on creating new standards and improving existing regulations to support the provision of small housing and infill development. This includes changes to increase flexibility in ADU regulations, changes to allow cottage court subdivisions, new standards to support the development of small and middle housing, and other amendments.

### **PROPOSED AMENDMENTS**

Proposed changes occur in Division 3- Regulation of Uses, Division Four- Development Standards, and Division Nine- General Provisions of the Washoe County Development Code. The changes are summarized below. A draft ordinance showing all code amendments is included as Attachment A.

#### **Article 304 Use Classification System**

Two minor revisions to residential uses in Article 304 are proposed:

- Include “courtyard apartments” as an example of the multi-family, minor residential use type.
- Modify the cottage court definition to allow cottage court subdivisions.

The addition of courtyard apartments as an example of the multi-family, minor residential use type is to assist potential developers in understanding what is allowed under Washoe County Code. The modification to the cottage court definition enables dwelling units in cottage courts to be divided and sold individually, which will be regulated by proposed changes to Article 313 (Employee and Cottage Court Housing).

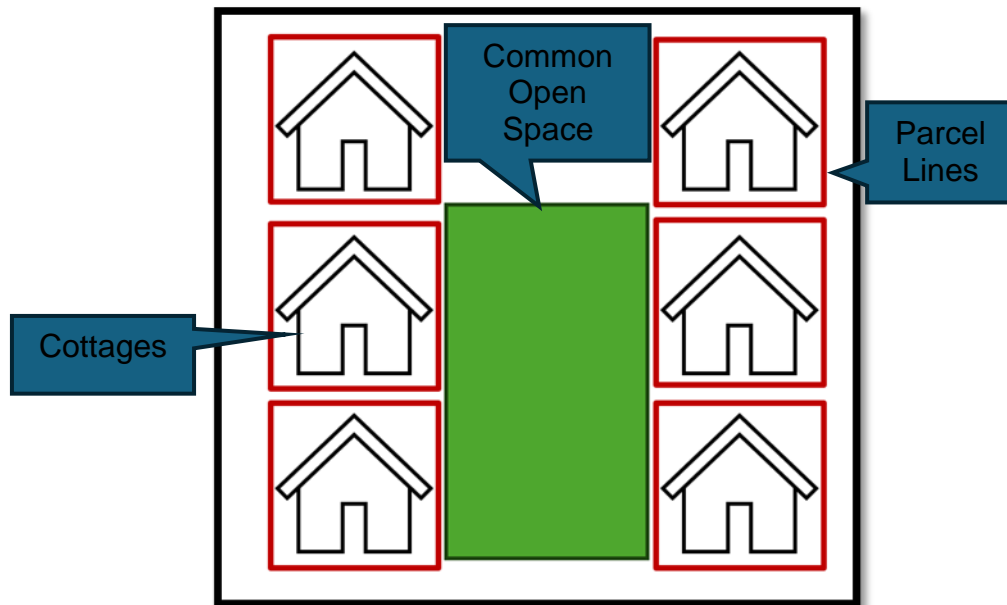
### **Article 306 Accessory Uses and Structures**

One source of diverse and attainable housing can be accessory dwelling units (ADUs). ADUs provide a unique housing option that enables various living arrangements for County residents, including multi-generational living, caretaker’s residences, low-cost rentals, and more. Currently, Washoe County Code limits both attached and detached ADUs to 50% of the size of the main dwelling or 1,500 sf (for most regulatory zones) or 1,200 sf (for the medium density suburban regulatory zone only), whichever is smaller. Therefore, residents with smaller principal dwellings may be limited to very small ADU sizes. People with smaller homes often inquire about developing ADUs for family members or other purposes, and staff has found that the 50% proportionality requirement is a discouraging factor.

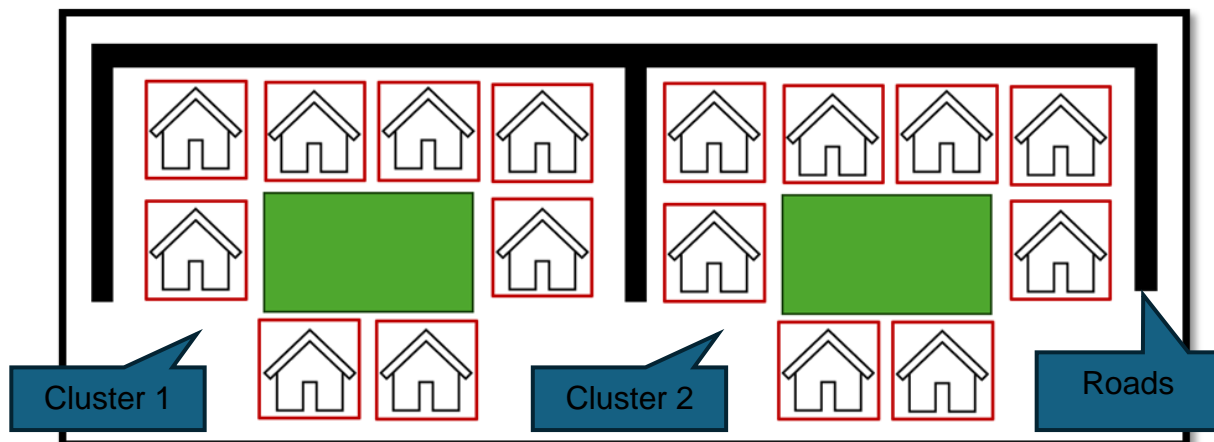
Due to the potential benefits of ADUs as described above, staff proposes to change the **proportionality requirement from 50% to 80% the size of the main dwelling**. No changes are proposed to the maximum square footage for ADUs, i.e. - 1,500 sf (for most regulatory zones) or 1,200 sf (for the medium density suburban regulatory zone only).

### **Article 313 Employee and Cottage Court Housing**

Housing Package 2.5a established the cottage court use type and the associated regulations in Article 313. Initially, cottage courts were envisioned as a rentable use type where a single owner may own a parcel with up to 12 cottages. However, staff also recognizes that cottage courts could provide an opportunity for home ownership, particularly of smaller “starter homes.” To enable individually ownable cottages in cottage courts, changes are proposed to Article 313 that would **allow the creation of cottage court subdivisions**. These provisions would allow the cottages to be divided onto individual parcels and describe how developments with multiple cottage clusters of 2-12 cottages could be permitted. Other improvements to the cottage court regulations are also proposed, including **limiting community accessory structures to one per every four cottages** and **increasing the maximum cottage size from 1,000 sf to 1,200 sf**. These changes ensure that cottage court developments aren’t cluttered with accessory structures and that cottages are large enough to accommodate families, in addition to one or two person households.



*Figure 2 Cottage Court Subdivision with One Cottage Cluster*



*Figure 3 Cottage Court Subdivision with Multiple Clusters*

### **Article 404 Lot Standards**

In order to create new opportunities for the development of small dwellings and other types of housing that tend to be more affordable, staff is proposing new **small lot residential development standards**. These standards can be utilized by subdivisions containing exclusively single-family detached homes 1,200 square feet or smaller, single-family attached homes, and/or middle housing types. The small lot development standards include:

- Alternative minimum setback and lot size requirements
- Alternate roadway design allowances

Staff is also proposing **residential and commercial infill standards** to enable appropriate development and redevelopment of already built-up areas. Infill standards are

common throughout the nation and recognize the challenge of redeveloping vacant or underutilized parcels in areas that were developed prior to zoning regulations. Due to development pre-dating regulations, such areas tend to be non-conforming and new development compliant with zoning regulations is therefore inconsistent with the prevailing community development style and character.

The proposed infill standards target areas with a predominant pattern of legally non-conforming development: Verdi, Sun Valley, Wadsworth, and Gerlach. The proposed infill standards allow for reduced front yard setbacks when certain standards are met and only apply to parcels of the following sizes:

- Low density suburban (LDS) parcels 26,250 sf or smaller
- Medium density suburban (MDS) parcels 9,000 sf or smaller
- High density suburban (HDS) parcels 3,750 sf or smaller
- Neighborhood commercial (NC) and general commercial (GC) parcels 21,780 sf or smaller

#### **Article 408 Common Open Space Development**

The most frequently utilized method for creating smaller parcels under existing county code is common open space developments. Common open space development allows the variation of standards such as lot width and setbacks in exchange for the provision of common open space and a design that provides community benefit. Currently, the section of code that enables the variation of minimum standards requires applicants to show “typical building envelopes” on tentative maps. However, applicants often simply **propose alternate setbacks** which are codified in the conditions of approval. This method results in easy enforcement without the showing of building envelopes. Staff is therefore proposing a change to allow applicants to propose alternate setbacks or show typical building envelopes.

#### **Article 902 Definitions**

In order to ensure clarity in the proposed regulations, definitions for building orientation, cottage, cottage cluster, courtyard apartments, and infill development are proposed.

#### **FISCAL IMPACT**

No fiscal impact.

#### **PUBLIC WORKSHOP**

A public workshop to discuss the amendments took place on September 24, 2025. The workshop was held on Zoom and six citizens attended. Planning representatives described the overall intent of the amendments and presented the draft changes. There was an opportunity for questions and discussion.

Questions and comments were related to using diagrams to show cottage court subdivisions to clarify the proposed changes, opposition to the current allowance for variation of certain standards in the common open space subdivision process, support for cottage court subdivisions, and the development code amendment process. A summary of

the workshop is attached as Exhibit B of the Planning Commission staff report (Attachment C).

### **PUBLIC NOTICE**

Pursuant to Washoe County Code Section 110.818.20, notice of this public hearing was published in the newspaper at least 10 days prior to this meeting. Members of the Citizen Advisory Boards (CABs) also received notice, as a courtesy.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners hold a second reading and adopt the attached ordinance amending Washoe County Code Chapter 110 (Development Code) in Division Three- Regulation of Uses, Division Four- Development Standards, and Division Nine- General Provisions as set forth in WDCA25-0008. In making its determination, the Board shall either affirm, modify or reject the findings of fact included in the Planning Commission's recommendation.

### **POSSIBLE MOTION**

Should the Board agree with Planning Commission's recommendation, a possible motion would be:

"Move to adopt Ordinance Number [insert Ordinance number provided by the County Clerk], which is an ordinance amending Washoe County Code Chapter 110 (Development Code) in Division Three- Regulation of Uses, Division Four- Development Standards, and Division Nine- General Provisions. These amendments include adding various sections to: establish small lot residential development standards and establish infill residential and commercial development standards. These amendments also include amending various sections to: include an example of the multi-family, minor residential use type and allow cottage courts on multiple parcels; modify the maximum size of attached and detached accessory dwelling units from 50% to 80% of the size of the main dwelling; modify the maximum floor area from 1,000 square feet to 1,200 square feet for cottage court developments; specify that only one community accessory structure is allowed for every four (4) cottages in a cottage court development; clarify the calculation of setbacks for cottage court developments; modify lot and yard standards for common open space developments; add various definitions; and all matters necessarily connected therewith and pertaining thereto.

In making this motion, the Board is affirming the Planning Commission's findings of fact included in the Planning Commission's recommendation and included in Washoe County Code Section 110.818.15(e)."

#### Attachments:

- A. Working Copy of Proposed Ordinance
- B. Clean Copy of Proposed Ordinance
- C. Planning Commission Staff Report for WDCA25-0008
- D. Planning Commission Action Order and Resolution No. 25-14
- E. Planning Commission Staff Presentation
- F. November 4, 2025, Planning Commission Minutes